

Appl. No. 09/945,524
Am't. dated June 15, 2004
Reply to Office action mailed March 15, 2004

REMARKS/ARGUMENTS

Specification

Paragraphs [0007.1] and [0007.2] have been amended to reflect the amendments to independent claims 19 and 32.

Claims

Claims 19, 20, 23, 25, 26, 29, 32, 41 and 42 have been amended. Claim 43 is new. No new matter has been added.

Claims Rejections – 35 USC § 112

The Examiner has rejected claims 36, 39 and 40 under 35 USC § 112, first paragraph as failing to comply with the written description requirement as the application as originally filed makes no reference that the communication means includes infrared signals, or that the edge position measuring system is a motion system or an infrared system.

As for claim 36, the application as filed clearly discloses that the communication means includes electronic signals. In his argument relating to the rejection of claim 36 under 35 USC § 103 (page 10 of the Final Office Action), the Examiner states that "it is taken as well known and conventional to replace the electronic signal means wholly or partially with infrared signals". It is therefore respectfully submitted that the subject matter of claim 36 is thus tacitly disclosed in the application and would be understood as such by one skilled in the art. As such, the Applicant respectfully submits that claim 36 complies with written description requirement of 35 USC § 112.

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Similarly, as for claims 39 and 40, it is respectfully submitted that replacing a camera for use as a measuring system by a motion sensor or an infrared system would have been understood by one skilled in the art to be known and conventional. As such, the Applicant respectfully submits that claims 39 and 40 complies with written description requirement of 35 USC § 112.

Claims Rejections – 35 USC § 102

The Examiner has rejected claims 19, 30, 31 and 41 under 35 USC § 102(b) as being anticipated by Hartman (US 5,759,339). The Examiner also rejected claims 19-23, 30, 31 and 41 as being anticipated by Persson (US 4,995,937).

In his arguments for both bases of rejection under 35 USC § 102(b), the Examiner states that “[s]uch a structure as in Hartman [or Persson] is capable of having the first predetermined length and the second predetermined length transversely extend beyond the web width, assuming the applicant uses a relatively narrow moving web” [our emphasis].

It is understood that should one use the apparatuses described in either Hartman or Persson be used to dispense tape or ribbon to a moving web that has a width smaller than the maximum for which the apparatuses may be used, the guide arms as disclosed in Hartman and Persson would be able to physically be in a position whereby they “transversely extend beyond the web width”. The Applicant has taken notice of the Examiner’s argument and has amended independent claim 19 such as to specify that each of the first and second predetermined lengths transversely extend beyond the width of the widest web that can be used in the claimed apparatus, which is neither disclosed nor taught in either of Hartman and Persson. In other words, in the claimed invention the first and second predetermined lengths extend outside the path of any web to which a ribbon may be laminated.

In view of the foregoing, it is respectfully submitted that claim 19 as amended overcomes the Examiner’s rejections under 35 USC § 102(b).

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As for claims 20-23, 30, 31, and 41, they are dependant upon claim 19 as amended and are therefore patentable in view of Hartman and/or Persson.

Notwithstanding the previous comment, the Examiner rejected claims 20 and 21 on the basis that Persson allegedly discloses that the traversing mechanism is a lead screw and the movement means is a lead nut. The Applicant respectfully disagrees.

Persson discloses as follows:

(col. 3, lines 17-21) *The beam 14 thus forms a stationary carrier beam which supports the tape applicators 19. The tape applicators 19 can be locked in selected positions of adjustment along the beam 15 located above the carrier beam.*

(col. 4, lines 31-34) *The applicator-setting beam 15 together with the tape applicators 19 locked thereto can be displaced in the direction of the longitudinal beam axis in relation to the carrier beam 14 [...]*

(col. 4, lines 42-48) Longitudinal movement of the beam 15 is effected by means of a spindle 50 (FIG. 4) which engages in a screwthreaded bore in a part 51 rigidly connected to the beam 15, the spindle 50 also being journaled but locked against axial movement in a stationary frame part, which in the illustrated embodiment comprises one of the uprights 13. The spindle has fixed thereon a gear wheel 52 which is driven, via a chain indicated at 53, by a positioning motor 54 illustrated in FIG. 1. The positioning motor 54 is controlled by a conventional edge detector (not shown), such that when the web 11 wanders laterally off course, the motor 54 will be activated so as to rotate the spindle 50 in one direction or the other such as to maintain the applicator-setting beam 15, and therewith also the tape applicators 19 clamped thereto, in a pre-determined position relative to the web 11 irrespective of the lateral movement of the web. [our emphasis]

(col. 7, line 61 to col. 8, line 22) *A screw spindle 122 which extends parallel with the shaft 102 is journaled for rotation, but held against axial movement in two arms 121 which project out in the longitudinal direction of the web 11 from a frame leg 20 and from the horizontal beam 109 respectively. One end of the spindle 122 has fixedly mounted thereon a sprocket wheel 123. The spindle 122*

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extends through and is in screw engagement with a screwthreaded bore provided in a block 124 [...]. As a result of this arrangement, when the spindle 122 rotates and the block 124 consequently moves along the spindle, the fingers 125 dog the carrier arrangement 97, 98, 100, 101, the attachment beam 88 and the holders 91 with tools 92 for movement in a horizontal plane transversely to the direction of travel of the web 11. The spindle 122 is preferably driven by a setting motor, via a chain 126 extending around the sprocket wheel 123. The setting motor is controlled by a known web-edge detector (not shown) such that when the web 11 wanders laterally off course the motor is caused to rotate the spindle 122 in either one direction or the other, so as to hold the carrier arrangement 97, 98, 100, 101, the attachment beam 88 and the tool holders 91 with tools 92 in a pre-determined position relative to the edges of the web, irrespective of the lateral movement of the web 11. [our emphasis]

It is therefore understood that in the apparatus disclosed in Persson, the spindle (lead screw) and screwthreaded bore (lead nut) configurations are destined to move entire arrangements in pre-determined position relative to the edges of the web. In other words, neither of the spindle/screwthreaded bore configurations of Persson can move any one of the tape applicators *per se* in relation to the beam or the carrier arrangement.

In the present invention as claimed in claims 20 and 21, each guide arm is individually moved along the guide rail by locking the lead nut, which is moved by the lead screw. It is therefore respectfully submitted that the subject matter of claims 20 and 21 is not disclosed nor taught by Persson. Furthermore, in view of the foregoing, it is also submitted that the subject matter of claim 23 is not disclosed nor taught by Persson.

In view of the above, it is respectfully submitted that the claimed invention is not anticipated by either of Hartman nor Persson and the Examiner is respectfully requested to withdraw his rejection.

Claims Rejections – 35 USC § 103

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The Examiner has rejected claims 23 to 29 under 35 USC § 103(a) as being unpatentable over Persson in view of Hartman.

In view of the above, since independent claim 19 is patentable in view of both Harman and Persson, it is respectfully submitted that claims 23 to 29, which depend upon claim 19, are also patentable. The Examiner is therefore respectfully requested to withdraw his rejection on that basis.

The Examiner has also rejected claims 32 to 34, 36 to 39 and 42 under 35 USC § 103(a) as being unpatentable over Persson and Hartman in view of Shea (U.S. Patent Publication 2002/0170938).

As for Persson and Hartman, Shea does not disclose or teach a laminated apparatus wherein the first and second predetermined lengths each transversely extend beyond certain maximum length. Therefore, since the claims have been amended such that claims 32 to 34, 36 to 39 and 42 include directly or indirectly such a limitation, for the same reasons as stated above, it is respectfully submitted that such claims are patentable in view of the cited prior art and that the Examiner should therefore withdraw his rejection on that basis.

The Examiner has also rejected claims 32 to 34 under 35 USC § 103(a) as being unpatentable over Persson and Hartman in view of Blase (U.S. 4,962,639).

As for Persson and Hartman, Blase does not disclose or teach a laminated apparatus wherein the first and second predetermined lengths each transversely extend beyond certain maximum length. Therefore, since claims have been amended such that claims 32 to 34 include directly or indirectly such a limitation, for the same reasons as stated above, it is respectfully submitted that such claims are patentable in view of the cited prior art and that the Examiner should therefore withdraw his rejection on that basis.

The Examiner has also rejected claims 38 and 39 under 35 USC § 103(a) as being unpatentable over Persson, Hartman and Shea further in view of Druecker (5,087,313).

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As for the previously discussed prior art, Druecker does not disclose or teach a laminated apparatus wherein the first and second predetermined lengths each transversely extend beyond certain maximum length. Therefore, since the claims have been amended such that claims 38 and 39 include directly or indirectly such a limitation, for the same reasons as stated above, it is respectfully submitted that such claims are patentable in view of the cited prior art and that the Examiner should therefore withdraw his rejection on that basis.

Finally, the Examiner has rejected claims 39 and 40 under 35 USC § 103(a) as being unpatentable over Persson, Hartman and Shea further in view of Krayenhagen (U.S. 5,244,518).

As for the previously discussed prior art, Krayenhagen does not disclose or teach a laminated apparatus wherein the first and second predetermined lengths each transversely extend beyond certain maximum length. Therefore, since the claims have been amended such that claims 39 and 40 include directly or indirectly such a limitation, for the same reasons as stated above, it is respectfully submitted that such claims are patentable in view of the cited prior art and that the Examiner should therefore withdraw his rejection on that basis.

Since Applicant's amendments clearly place the claims into condition for allowance, and do not require any further consideration and/or search, Applicant requests that the above amendments be entered after final pursuant to 37 C.F.R. § 1.116. All pending claims are now in condition for allowance. Early and favourable action is respectfully requested.

The Examiner is invited to telephone the undersigned, Applicant's Attorney of Record, to facilitate advancement of the present application.